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**Bereskin & Parr**

Barristers and Solicitors/Patent and Trade Mark Agents  
Practice Restricted to Intellectual Property Law

September 7, 2001

Attorney Docket No. 9351-60

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

The Commissioner of Patents  
and Trademarks  
Washington, D.C.  
U.S.A. 20231  
**BOX: MISSING PARTS**

**Re: U.S. Patent Application No. 09/855,018**  
**For: FLOW FIELD PLATE FOR A FUEL CELL AND FUEL CELL ASSEMBLY**  
**INCORPORATING THE FLOW FIELD PLATE**  
**Filed: 05/15/2001**  
**Applicant: David Frank, et al.**

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In response to the Notice to File Missing Parts of Application (Filing Date Granted) mailed July 12, 2001, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to the above-referenced patent application;
- (2) a check in the amount of \$550.00 in payment of the surcharge of 37 C.F.R. § 1.16(e) and surcharge of 37 C.F.R. § 1.16(a) and § 1.16(d), as requested in the Notice to File Missing Parts of Application, with the fee reduced as applicants are claiming small entity status; and
- (3) a copy of the Notice to File Missing Parts of Application.
- (4) a set of Formal Drawings (16 sheets) in compliance with 37 C.F.R. 1.84

If any additional fee is required, please charge Deposit Account No. 02-2095. A duplicate of this Response is enclosed for deposit account charging purposes.

Respectfully submitted,

H. Samuel Frost  
Registration No. 31,696  
/sf  
Enclosure



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/855,018	05/15/2001	David Frank	9351-060

CONFIRMATION NO. 8005

## FORMALITIES LETTER



\*OC000000006290550\*

001059  
BERESKIN AND PARR  
SCOTIA PLAZA  
40 KING STREET WEST-SUITE 4000 BOX 401  
TORONTO, ON M5H 3Y2  
CANADA

Date Mailed: 07/12/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$270.
  - \$270 for multiple dependent claim surcharge.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1110.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

09/12/2001 EABUBAK1 00000054 022095 09855018

01 FC:201	355.00	DP
02 FC:204	135.00	DP
03 FC:205	5.00	CH
	60.00	DP

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*A copy of this notice MUST be returned with the reply.*

*3/11/01*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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FOOTED 8109860